

DEC 11 2009

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK
BY: *J. Turk*
DEPUTY CLERK

RANDALL J. KEYSTONE,)	Civil Action No. 7:09-cv-00413
Petitioner,)	
)	
v.)	<u>ORDER</u>
)	
DIR., VA. DEPT. OF CORRECTIONS,)	By: Hon. James C. Turk
Respondent.)	Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that petitioner's petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED**; petitioner's motion to proceed in forma pauperis is **DENIED** as moot; a Certificate of Appealability is **DENIED**; and the case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the petitioner.

ENTER: This 10th day of December, 2009.

James C. Turk
Senior United States District Judge